GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Municipal Administration & Urban Development Department – Allegation of possession of assets disproportionate to the known sources of income against Sri Dhansetty Shiva Kumar, Superintending Engineer (Housing), Greater Hyderabad HMC, Abids, Hyderabad – Sanction of Prosecution under the Prevention of Corruption Act 1988 – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (VIG.I)DEPT.

G.O.Ms.No. 427 Dated:21-11-2012;

O R D E R:

Whereas, Sri D. Shiva Kumar S/o late D. Laxmi Narayana joined Government service on 24.8.1987 as Dy. Executive Engineer in Public Health Department, Municipal Corporation of Hyderabad, Hyderabad and worked in Charminar, Circle-I, Hyderabad and Malkajigiri Municipality. Subsequently, he was promoted as Executive Engineer on 13.8.2002, he worked in L.B. Nagar Municipality, Gudiwada Municipality, and transferred to Hyderabad Metro Water Supply & Sewerage Board and worked as P.A. to the Director (Technical), Hyderabad Metro Water Supply & Sewerage Board, In the year 2005, he was transferred to Ongole Municipality, Prakasham District and later transferred to Kukatpally Circle, Greater Hyderabad Municipal Corporation, Hyderabad. He was promoted as Superintending Engineer on 23.10.2008 and posted as S.E. (Housing), Greater Hyderabad Municipal Corporation, Abids, Hyderabad and worked in the said capacity till the date of house search i.e., 24.9.2009. By virtue of the posts held by him, he is a public servant within the meaning of Clause (C) of section 2 of the Prevention of Corruption Act 1988 (Act 49 of 1988).

2. And whereas, on credible information that Sri D. Shiva Kumar indulged in corrupt practices and by dubious means acquired Immovable and Movable properties in his name and in the names of his dependent family members, a case in Cr. NO. 34/ACB- CIU/2009 was registered under section 13 (2) read with section 13 (1) (e) of the Prevention of Corruption Act 1988 (Act No. 49 of 1988) and investigated into as per the proceedings issued by the Joint Director (CIU), Anti-Corruption Bureau, Hyderabad, vide Proceedings in C.No. 34/RCA-CIU/2009, Dated: 23.9.2009. During the course of investigation and in pursuance of search warrants obtained from Principal Special Judge for SPE & ACB cases at Hyderabad, searches were conducted at the residential and office premises of Sri D. Shiva Kumar and other places on 24.9.2009. During searches incriminating documents pertaining to Assets, Income and Expenditure were seized and the household articles found in the residential premises of Sri D. Shiva Kumar were inventoried in the presence of mediators;

3. And whereas, for the purpose of investigation, the check period has been taken from 24.8.1987 i.e., from the date of entry into Government service by Sri D. Shiva Kumar till date of searches i.e., on 24.9.2009;

4. And whereas, the investigation revealed that Sri D. Shiva Kumar acquired assets in the shape of movable and immovable properties in his name and in the names of his dependent family members to the extent of Rs.1,01,90.675/- as on the terminal date of check period and his total income from all his known sources during the period from 24.8.1987 to 24.9.2009 is arrived at worth of Rs.91,97,545/-. His total expenditure during the said period i.e., 24.8.1987 to 24.9.2009 is estimated at worth of Rs.66,30,059/-. Hence there is likely savings amount of Rs.24,67,486/- i.e., total income – total expenditure. Thus, A.O. is found in possession of disproportionate assets to the tune of Rs.76,23,189/- i.e., total assets – likely savings for which he can not account for satisfactorily;

5. And whereas, the said acts of Sri D. Shiva Kumar constitute an offence punishable under sub section (2) of section 13 read with clause (e) of sub-section (1) of Section 13 of the Prevention of Corruption Act, 1988 (Act No. 49 of 1988).

6.. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri D. Shiva Kumar from Government Service, after fully and carefully examining the material placed before them i.e., inventory reports, final investigation report of the Director General, ACB, A.P., Hyderabad in respect of the said allegation and having regard to the facts and circumstances of the case, consider that Sri D. Shiva Kumar should be prosecuted in a Court of law;

7. Now, therefore, in exercise of the powers conferred under clause (b) of sub section (1) section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri D. Shiva Kumar for the aforesaid offence punishable under sub section (2) of section 13 read with clause (e) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 (Act 49 of 1988) and for any other cognate offences punishable under any provisions of law for the time being in force in respect of the aforesaid act and for taking cognizance of the said offence by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT

To:
The Director General,
Anti Corruption Bureau, Hyderabad.

//Forwarded :: By order//

SECTION OFFICER.